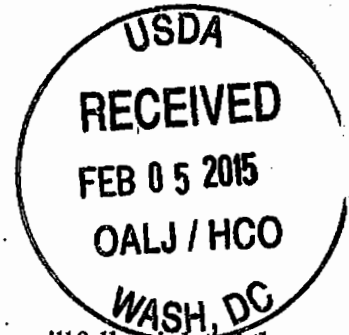


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P & S Docket Nos. 15- 0068
KMS Cattle, Inc.,)	15-0069
)	
and)	
)	
Kyle D. Sorrels)	
)	
Respondents)	Complaint



There is reason to believe that the Respondents named herein have willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*), hereinafter referred to as the "the Act," and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*) hereinafter referred to as "the Regulations," and, therefore, this complaint is issued alleging the following:

I.

(a) KMS Cattle, Inc. (hereinafter "Corporate Respondent"), is a corporation organized and existing under the laws of the State of Arkansas. Corporate Respondent's mailing address is 328 Duggar Road, Beebe, Arkansas, 72012.

(b) At all times material to this complaint, Corporate Respondent was:

1. Engaged in the business of buying and selling livestock in commerce as a dealer for its own account; and
2. Not registered with the Secretary of Agriculture as a dealer to buy and sell livestock and operating subject to the Act.

(c) Kyle D. Sorrels (hereinafter "Individual Respondent") is an individual with a mailing

address of 328 Duggar Road, Beebe, Arkansas, 75012.

(d) The Individual Respondent, at all times material to this complaint was:

1. President, Vice President, Secretary, and Treasurer of Corporate Respondent;
2. Registered Agent for Corporate Respondent;
3. The person who has managed, directed, and controlled Corporate Respondent;
4. Engaged in the business of buying and selling livestock in commerce as a dealer for his own account; and
5. Registered with the Secretary of Agriculture as an individual dealer to buy and sell livestock in commerce.

II.

Respondents, on or about the dates and in the transactions set forth in Appendix A, failed to pay the full amount of the purchase price for such livestock within the time period required by the Act.

III.

By reason of the facts alleged in paragraph II, Respondents have willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a), 228b).

WHEREFORE, it is hereby ordered that this complaint shall be served upon Respondents for the purpose of determining whether Respondents have willfully violated the Act and Regulations. Respondents shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice Governing Proceedings Under the Act (7 C.F.R. § 1.130 *et seq.*). Allegations not answered shall be deemed admitted for the purpose of

this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint.

Packers and Stockyards Program, GIPSA, requests:

1. That unless Respondents fail to file an answer within the time allowed, or file an answer admitting all the material allegations of this complaint, or unless this proceeding is disposed of by the issuance of a consent decision as provided in section 1.138 of the uniform rules of practice (7 C.F.R. § 1.138), this proceeding be set for oral hearing in accordance with the Rules of Practice; and

2. That such order be issued, including an order requiring Respondents to cease and desist from the violations of the Act and the Regulations found to exist and assessing such civil penalties against the Respondents as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.

this 5th day of February, 2015

Susan B. Keith
Susan B. Keith
Deputy Administrator
Packers and Stockyards Program

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